

16th July 1981

BYELAWS FOR THE GOOD
RULE AND GOVERNMENT OF
THE BOROUGH OF KETTERING
AND FOR THE PREVENTION
OF NUISANCES

BOROUGH OF KETTERING

BYELAWS MADE UNDER SECTION 235 OF THE LOCAL GOVERNMENT ACT 1972
BY THE ADMINISTRATIVE COUNCIL OF THE BOROUGH OF KETTERING
FOR THE GOOD RULE AND GOVERNMENT OF THE BOROUGH OF KETTERING
AND FOR THE PREVENTION OF NUISANCES

1. NOISES AT NIGHT.

No person shall in any street or public place between the hours of 11 p.m. and 6 a.m. wantonly and continuously shout or otherwise make any loud noise to the disturbance or annoyance of residents.

2. MUD ETC., FALLING FROM VEHICLES ON TO HIGHWAY.

(1) When, to the knowledge of a person in charge of a vehicle, any mud, clay, lime or similar material has fallen on a highway from the vehicle, such person shall, if such fallen material is likely to cause obstruction or danger to persons using the highway or injury to the surface of the highway, remove or cause to be removed all such fallen material from the highway as completely and as soon as is reasonably practicable.

(2) The person in charge of a vehicle shall not bring the vehicle or permit it to be brought upon a highway unless there has been removed from the wheels thereof as completely as is reasonably practicable all mud, clay, lime and similar material which is likely, if not so removed, to cause obstruction or danger to persons using the highway or injury to the surface of the highway.

(3) In this byelaw -

"person in charge of a vehicle" means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control;

"vehicle" includes any trailer and any agricultural implement or machine;

"wheels" includes axles, runners and tracks.

3. SPITTING.

No person shall spit on the paved footway of any street or public place or on the floor, side or wall of any premises to which the public is admitted.

In this byelaw the expression "paved" includes concrete, asphalt or other made up surface.

4. LIGHTING OF FIREWORKS, ETC.

No person shall, with intent to cause annoyance or inconvenience to any person in any premises to which the public is admitted, while the premises are open to the public, throw or let off any firework, stink bomb or similar article, or squirt or otherwise throw or scatter any offensive liquid, powder or substance in any such place as aforesaid.

5. DOGS FOULING FOOTWAYS, ETC.

(1) No person in charge of a dog shall allow the dog to foul a footway or grass verge (being a footway or grass verge to which this byelaw applies) by depositing its excrement thereon.

Provided that in proceedings for an offence against this byelaw it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) This byelaw applies to:

(a) The footway of any highway or of any public place; and

(b) A grass verge which is not more than three metres wide and is:

(i) adjacent to the carriageway or footway of a highway; and

(ii) managed by a local authority and maintained in good order.

(3) For the purpose of this byelaw the owner of the dog shall be deemed in charge thereof unless the Court is satisfied that at the time when the dog fouled the footway or grass verge it had been placed in or taken into the charge of some other person.

6. ROLLER SKATING, ETC.

No person shall on any public carriageway or footway propel himself whether in a standing or seated position on rollers, wheels or other mechanical contrivances to the danger of persons lawfully using the carriageway or footway.

7. TOUTING.

No person shall in any street or public place for the purpose of selling or advertising any article or obtaining custom tout or importune to the annoyance or obstruction of persons lawfully in the street or public place.

8. VIOLENT BEHAVIOUR, ETC. ON SCHOOL PREMISES.

Any person other than a teacher, child, manager, or other duly authorised person, being in or on the buildings, playground or other premises of any county school or voluntary school, who, after being requested to depart therefrom by the head teacher or the teacher acting as the head teacher of such school, refuses to depart therefrom and makes use of any violent, abusive, profane, indecent or obscene language, or otherwise behaves in a disorderly manner, shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

9. STUBBLE BURNING.

(1) No person shall on agricultural land commence to burn any straw or stubble remaining on such land after the harvesting of any crop which has been grown thereon or cause or permit to commence the burning of such straw or stubble;

(a) in a field or enclosure any part of which is within fifteen metres of:

- (i) any residential property or any boundary marking the extent of the curtilage thereof;
- (ii) any structure having a thatched roof;
- (iii) any other building, fixed plant or machinery the greater part of which is constructed of combustible material;
- (iv) any stack of hay or straw;
- (v) any accumulation of combustible material;
- (vi) any standing straw crops;
- (vii) any woodland, hedgerow or nature reserve; or
- (viii) any plant or apparatus of combustible material owned by any statutory undertaker;

unless, before any straw or stubble is burnt, a fire-break is constructed by removing so far as is reasonably practicable all straw from a strip of land not less than fifteen metres wide between any straw and stubble proposed to be burnt and any of the objects referred to in paragraph (a) of this byelaw and either cultivating the said strip of land or ploughing not less than three metres in width of the said strip of land;

(b) between the hours of sunset and sunrise;

(c) unless during the whole of the time the straw or stubble is burning the operation will be under the supervision of a responsible person present in the field or enclosure; and

(d) unless not less than twenty-four hours' notice has been given to the Northamptonshire County Fire Brigade.

(2) In this byelaw -

"combustible material" means capable of undergoing combustion;

"combustion" means consumption by oxidation with the production of heat, usually with incandescence or flame or both, as defined in BSI Standard No. 4422.

"nature reserve" has the same meaning as in Section 15 of the National Parks and Access to the Countryside Act 1949.

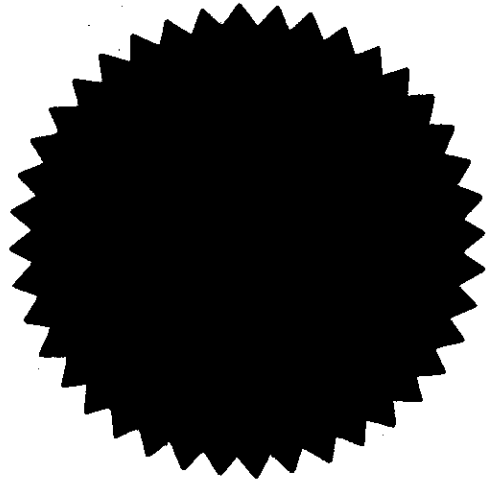
10. PENALTIES.

Any person offending against any of the foregoing byelaws Nos. 1 - 8 shall be liable on summary conviction to a fine not exceeding Fifty Pounds and any person offending against byelaw No. 9 shall be liable on summary conviction to a fine not exceeding Two Hundred Pounds. In the case of a continuing offence any such person shall be liable to a further fine not exceeding Five Pounds for each day during which the offence continues after conviction therefor.

11. REPEAL.

All byelaws heretofore made by the Mayor, Aldermen and Burgesses of the Borough of Kettering and the Northamptonshire County Council for good rule and government and for the prevention of nuisances and now in force in the Borough of Kettering are hereby repealed.

THE COMMON SEAL OF THE ADMINISTRATIVE
COUNCIL OF THE BOROUGH OF KETTERING
was hereunto affixed this Sixteenth
day of July One thousand nine hundred
and eighty-one pursuant to a resolution
in that behalf passed at a meeting of
the said Council duly convened and held
on the First day of July One thousand
nine hundred and eighty-one in the
presence of:-



8182127

Deputy Borough Secretary
Proper Officer for this function

The foregoing byelaw(s) ~~is~~/are hereby confirmed by the Secretary of State
and shall come into operation on the 14th day of October 1981.

Signed by authority of the Secretary of State

G. I. de DENEY

An Assistant Under-Secretary of State

Home Office
LONDON, SW1.

01 OCT 1981